

10582/24

11/17 REC'D RECEIPTO 01 MAY 2006

Attorney Docket No. CytRx/012 PCT

IN THE UNITED STATES RECEIVING OFFICE OF THE
PATENT COOPERATION TREATY

Applicants : Biorex Kutato Es Fejlesztő Rt. *et al.*
Int'l. Appln. No. : PCT/HU2004/000098
Filed : 25 October 2004 (25.10.2004)
For : Use of a Hydroxamic Acid Halide Derivative in the Treatment
of Neurodegenerative Diseases

EXPRESS MAIL CERTIFICATION

Express Mail number EV 329694219 US
Date of Deposit 01 May 2006 (01.05.2006)

I hereby certify that this paper/fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Hon. Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, Mail Stop – PCT; Box – RO/US



Andrew Shiue

Appointment of Agent (1 sheet)
Assignment of Invention (15 sheets)
Return Postcard

IN THE UNITED STATES RECEIVING OFFICE OF THE
PATENT COOPERATION TREATY

Applicants : Biorex Kutato Es Fejlesztő Rt. *et al.*
Int'l. Appln. No. : PCT/HU2004/000098
Filed : 25 October 2004 (25.10.2004)
For : Use of a Hydroxamic Acid Halide Derivative in the Treatment
of Neurodegenerative Diseases

New York, New York
1 May 2006

VIA EXPRESS MAIL

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop – PCT; Box – RO/US

**REQUEST FOR THE RECORDING OF A CHANGE OF APPLICANT
AND CHANGE OF AGENT PURSUANT TO PCT RULE 92bis.1**

Sir:

In the above-identified application, please record a change of Applicant for the purposes of all designated states except the United States from Biorex Kutato Es Fejlesztő to CytRx Corporation, a corporation of the State of Delaware, United States. The new Applicant's address is:

11726 San Vicente Blvd., Suite 650
Los Angeles, California 90049
United States

Rights to the application were transferred by means of an Assignment, a copy of which is enclosed herewith.

Additionally, please record a change of Agent to:

Barbara A. Ruskin
Erika Takeuchi
c/o Fish & Neave IP Group
Ropes & Gray LLP
1251 Avenue of the Americas
New York, New York 10020
Tel.: (212) 596-9000
Fax: (212) 596-9090

An executed Appointment of Agent from the new Applicant is enclosed herewith.

Since the 30 month date, April 30, 2006, occurred on a Sunday, this request is filed on the next business day and, thus, timely filed. Please issue Notifications of the Recording of a Change, and send it to all designated offices and International Bureau, with a copy to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Erika Takeuchi', written over a horizontal line.

Erika Takeuchi (Reg. No. 55,661)
Attorney for Applicants

Fish & Neave IP Group
Ropes & Gray LLP
1251 Avenue of the Americas
New York, New York 10020-1104
Tel: (212) 596-9000
Fax: (212) 596-9090

cc: International Bureau of WIPO

PATENT COOPERATION TREATY

Appointment of Agent

The undersigned hereby appoints:

RUSKIN, Barbara A.
TAKEUCHI, Erika

c/o FISH & NEAVE IP GROUP
ROPES & GRAY LLP
1251 Avenue of the Americas
New York, New York 10020
United States of America
Tel.: (212) 596-9000
Fax: (212) 596-9090

as its agents to act on its behalf before the competent International Authorities in connection with the International Application No. PCT/HU2004/00098 entitled "USE OF A HYDROXIMIC ACID HALID DERIVATIVE IN THE TREATMENT OF NEURODEGENERATIVE DISEASES" (Agent Docket No. Cytrx/012 PCT), filed in the Hungarian Receiving Office on October 25, 2004, and to make or receive payments on its behalf.

CytRx Corporation

By:


Benjamin Levin
General Counsel

Date: 5/1, 2006
Place: Los Angeles, CA
United States of America

ASSIGNMENT

THIS ASSIGNMENT is made on this 4 day of October, 2004

BETWEEN:

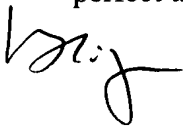
- (1) **BIOREX KUTATÓ ÉS FEJLESZTŐ RT. ("V.A.")** (Company number 01-10-041448) whose registered office is at 1065 Budapest, Bajcsy-Zsilinszky út 37, represented by László Blága; and
 - (2) **BRX RESEARCH AND DEVELOPMENT COMPANY LTD** whose registered office is at 200 Aldersgate Street, London EC1A 4JJ, UK, represented by Peter Rona;
- wherein (1) and (2) are jointly referred to as "**Assignor**"; and
- (3) **CYTRX CORPORATION**, a Delaware corporation with a principal address of 11726 San Vicente Blvd. Suite 650 Los Angeles, California 90049 (USA) ("**Assignee**");
- wherein "**Assignor**" and "**Assignee**" are jointly referred to as the "**Parties**".

WHEREAS:

- (A) Assignor is the proprietor of the various patents and patent applications listed in Schedule 1 attached to this agreement ("the Patents") and warrants that it currently holds full right and title to the Patents including the right to assign them.
- (B) Assignor warrants that Schedule 1 is intended to be a complete list of all the Patents that are being transferred to Assignee in the ASSET SALE AND PURCHASE AGREEMENT between the Parties executed on the 4th day of October, 2004.
- (C) Assignor has agreed to assign the Patents to Assignee together with the rights associated with the Patents and the right to file other applications in respect of the same inventions in all countries in the world, as further set forth in this Assignment.

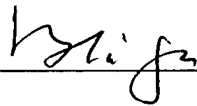


NOW, THEREFORE, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Assignor hereby sells, assigns, and transfers unto the said Assignee, its successors, assigns and legal representatives, all right, title, and interest in and to said invention and any improvements thereon for all countries of the world, and in and to said application, including any continuations and divisions thereof, and any substitute applications therefore, and any patent which may issue thereon, and any reissues of the same; and all right, title, and interest in and to every patent application filed or to be filed on said invention in any other country, including renewals, revivals, continuations, and divisions thereof, and any substitute applications therefore, and any and all patents which may issue thereon, and any reissues and extensions of the same; and the undersigned hereby authorizes and requests competent authorities to grant and issue any and all patents on said invention to the said Assignee of the entire right, title and interest therein; and the undersigned Assignor further agrees to execute upon request of Assignee such additional documents, if any, as are necessary and proper to secure patent protection on said invention throughout all countries of the world, and to otherwise give full effect to and perfect the rights of Assignee under this Assignment.

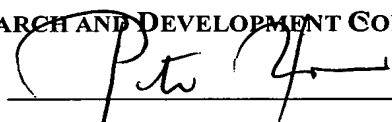
A handwritten signature in black ink, appearing to be 'W. J. J.', is written below the main text.

IN TESTIMONY WHEREOF, the undersigned have executed this Assignment at
Budapest, Hungary on the date indicated hereinafter:

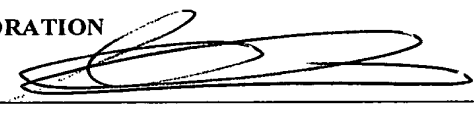
BIOREX KUTATÓ ÉS FEJLESZTŐ RT. ("V.A.")

Date: 4 October 2004 By: 
László Blága
Title: Liquidator

BRX RESEARCH AND DEVELOPMENT COMPANY LTD

Date: 4 October 2004 By: 
Peter Rona
Title: Chairman

CYTRX CORPORATION

Date: 10/4/04 By: 

Title: CEO

SCHEDULE 1
ISSUED PATENTS AND PATENT APPLICATIONS

1. Bimoclomol group

a) 5405/88 Novel O-(3-amino-2-hydroxypropyl)-hydroximic acid halides and process for preparing same (Bimoclomol)

Hungarian patent applications:

filed 20 October 1988 (No. 5405/88)
published 28 January 1991 (T/54110)
granted 26 March 1993 (207 988)

filed 1 July 1994 (PP 00117 pipeline)
granted 13 June 1995 (210 821)

Foreign patent applications:

PCT filed 19 October 1989 (PCT/HU89/00048)
published 3 May 1990 (W0 90/04584)

Patent status: granted in US, EP (European Patent) and 16 countries, pending in 1 country

Designated states	Appl. No.	Status/Patent No.
Europe	89.911590.1	granted 0 417 210
Austria		
Belgium		
France		
Germany		
Great Britain		
Italy		
Lichtenstein		
Luxemburg		
Netherlands		
Sweden		
Switzerland		
Australia	44186/89	granted 620,460
Canada	2000830	granted 2,000,830
Denmark	1497/90	pending
Finland	90-3075	granted 93214
Greece	89.01.00669	granted 1,002,253
Ireland	3364/89	granted 65113
Israel	92000	granted 92000
Japan	01.510821	granted 2,111,627
Norway	92071	granted 178148
Philippines	39379	granted 28843
Poland	P281898	granted 281,898
Portugal	92071	granted 92.041
Spain	89.03542	granted 89.03542
South Korea	90-701346	granted 154117
USA	07/499318	granted 5,147,879
	08/072765 (CIP)	granted 5,328,906
	07/90.6422 (div)	granted 5,296,606
USSR successor states:		

Handwritten signature

Designated states	Appln. No.	Status/Patent No.
Russia:		granted 2093508
Ukraine	93004334	granted 34412
Romania pipeline (transitorial protection)	98-20024	granted 2.184 T

b) 2385/92 (21 July 1992) Novel amides and imidates

Hungarian patent number: 216 830 (patented in Hungary only)

c) P 94 01488 Novel hydroximic acid derivatives, pharmaceutical compositions containing them and process for preparing same ("Dezoxi")

Hungarian patent application: filed 6 May 1994 (P94 01488)
Published 28 November 1995 (T/71409)
granted: 26 June 2001 (219 916)

Foreign patent applications: PCT filed 4 May 1995 (PCT/HU95/00014)
published 16 November 1995 (WO 95/30649)

Patent status: granted in US, EP and 12 countries, pending in 4 countries

Countries	Appln. No.	Status/Patent No.
PCT Int. Application	PCT/HU95/00014	published
Designates states:		
Czech Republic	PV 1996-3251	granted 288 824
Estonia	P9600137	granted 03296
Romania	96-02093	granted 115873
Australia	24161/95	granted 691284
Japan	528799/95	pending
New Zealand	285151	granted 285151
USA	08/737,168	granted 5,919,796
South Korea	96-706277	granted 0372312
Canada	2.189.652	pending
Slovakia	PV 1430-96	granted, 281 387
Brazil	PI 9507619-0	pending
Finland	964436	pending
Mexico	965376	granted, 207879
Norway	P964677	granted 307752
Poland	P317054	granted, 179032
Bulgaria	100.954	granted, 63336
China	95193977.7	granted ZL 95193977.7
European patent (AT,BE,CH, DE,DK,ES,FR,GB,GR,IE,IT, LI,LU,MC,NL,PT,SE)	95 918 106.6	granted 0 758 315

PCT Int. Application		
Designates states		
Australia	62376/96	granted 703163
Brazil	PI 9608929-6	pending
Canada	2,221,689	pending
Czech Republic	PV 4015-97	pending
Israel	122.141	granted 122141
Japan	9-502829	pending
South Korea	97-709431	pending, published
Macedonia	P126/97	granted, 900620
Mexico	9710172	granted 201396
Poland	P 324197	pending
Slovenia (EP extension)	0832079	granted
Slovakia	PV 1713-97	granted 282953
USA	08/914115	granted 6,002,002
European patent (AT, BE, CH, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE)	96 921 009.5	granted 0 832 079 DE 696 20 175.5-08 AT E 215 075 ES 2 174 077 GR 3 039 858

e) P 97 02005 Morphologically Homogeneous Bimocloamol

Hungarian patent application: filed 13 November 1997; pending

2. Chaperone

(a) P 95 03141 Hydroxylamine derivatives for enhancing the molecular chaperone production and the preparation thereof

Hungarian patent application: filed 2 November 1995 (P 95 03141)
modifications: 9 February 1996 and 4 October 1996
granted on 28 November 2003 (222 994)

Foreign patent applications: PCT filed 1 November 1996 (PCT/HU96/00064)
published: 9 May 1997 (WO 97/16439)

Patent status: granted in US (2 divisionals are pending), EP and 9 countries, pending in 14 countries

Countries	Appl. No.	States/Patent No.
PCT designated region: Europe (AT, BE, CH, LI, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE)	96935195.6	granted 0 801 649
EP extension: Lithuania		granted
Latvia		granted
Romania		granted
Slovenia		granted
PCT designated states:		
Australia	73263	granted 720095
Bulgaria	101713	granted 63944
Brazil	PI-9607565-1	pending
Canada	2209167	pending
China	96192305.9	pending, published
Czech Republic	PV 2072-97	pending, published
Estonia	P 9700146	granted, 4239
Israel	121126	granted 121126
Japan	9-517176	pending, published
South Korea	97-704575	pending
Mexico	974988	granted 216061
Norway	973059	pending
New Zealand	320523	granted 320523
Poland	P32215	pending
Russia	97113758	granted 2206320
Slovakia	881/97	pending
Turkey	97/00574	pending
Ukraine	97/084081/M	granted 61050
USA	08/860582	granted, 6,653,326
USA divisional I	10/618,157	pending
USA divisional II	10/618,162	pending

Countries	Appln. No.	States/Patent No.
Contries outside of PCT Croatia India South Africa Yugoslavia	P96 0508A 2405/Del/96 P6/9249 P-587/96	pending abandoned granted 96/9249 pending

W. J.

3. Arimoclomol (BRX-345), Diabetes and Neurodegenerative Disease

a) P 99 00475: N-[2-hydroxy-3-(1-piperidinyl)-propoxy]-pyridine-1-oxide-3-carboximidoyl chloride and its use in the treatment of insulin resistance ("Inzulin Rezisztencia")

Hungarian patent application: filed 26 February 1999 (P 99 00475)
modified 8 February 2000 (P 00 00552)
published 28 December 2001

Foreign patent applications: PCT filed 24 February 2000 (PCT/HU00/00015)
published 31 August 2000 (W0 00/50403)

Patent status: granted in US, EP and South Africa, pending in 18 countries

Countries	Appln.No.	Status/Patent No.
PCT Int. Application		
Designated states:		
Australia	31824/00	pending
Belarus	20010167	pending
Bulgaria	105.837	pending
Brazil	PI0008969	pending, published
Canada	2360451	pending
Croatia	P 20010584 A	pending
Czech Republic	PV 2001-3053	pending
Estonia	P 200100447	pending
India		pending
Israel	144866	pending
Japan	2000-600986	pending
South Korea	10-2001-7010932	pending
Norway	20014103	pending
Poland	P 350915	pending
Russia	200126126	pending, published
Slovakia	PV-2001-1158	pending
Ukraine	2001085933	pending
USA	09/913, 263	granted, 6,649,628
Yugoslavia	P 603/01	pending
South Africa	2001/6488	granted, 2001/6488
European (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE)	00 909 542.3	granted 1,163,224
Extension of EP (Latvia, Lithuania, Romania, Slovenia)		
Hong Kong		

b) P 00 01583: **A pyridine-1-oxide derivative and process for its transformation into pharmaceutically effective compounds ("N-Oxid Intermediar")**

Hungarian patent application: filed 18 April 2000 (P 00 01583)
published 28 November 2002

Foreign patent applications: PCT filed 17 April 2001 (PCT/HU01/00046)
published 25 October 2001 (W0 01/79174)

Patent status: the national phase of the PCT application has commenced, patent applications are pending in 23 countries and one region (EP)

Countries	Appln No.	Status/Patent No.
PCT Int. Application		
Designated states:		
Australia	2001254992	pending
Belarus	226559 BY	pending
Bulgaria	107199	pending
Brazil	PI 0110184-6	pending
Canada	30183-10	pending
China	01810831.8	pending, published
Croatia	P 2002082A	pending
Czech Republic	PV-2002-3445	pending
Estonia	P200200591	pending, published
India	IN/PCT/2002/01301	pending
Israel	144866	pending
Japan	2001-576775	pending, published
South Korea	10.2002.7014047	pending
Mexico	PA/a/2002/010320	pending
New Zealand	522017	pending
Norway	20025015	pending
Poland	P 359826	pending
Russia	2002130710	pending
Slovakia	2002-1508	pending
Ukraine	2002108255/M	pending
USA	10/257,755	pending
Yugoslavia	P-783/02	pending
South Africa	2002/8460	pending
European (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE, TR)	01 928 133.6	pending, published
Extension of EP (Latvia, Lithuania, Romania, Slovenia)		
Hong Kong	03108135.6	

c) P 03 03584: **Use of a hydroximic acid halide derivative in the treatment of neurodegenerative diseases (Use)**

Hungarian patent application: filed 30 October 2003 (P 03 03584)

4. Iroxanadine (BRX-235) and Endothelial Disease

a) P 96 02204: Pharmaceutical products for curing and preventing illnesses connected with the malfunction of vascular endothelial cells ("Endothel")

Hungarian patent application: filed 9 August 1996 (P96 02204)
modified 4 August 1997 (P97 01349)
published 29 May 2000

Foreign patent applications: PCT filed 6 August 1997 (PCT/HU97/00044)
published: 19 February 1998 (WO 98/06400)

Patent status: granted in US and 4 countries, pending in EP and 11 countries

Countries	Appl.No.	Status/Patent No.
Croatia South-Africa	P 970433A 97/7043	pending, published granted, 97/7043
PCT Int. Application		
Designated states:		
Australia	37049/97	granted, 739614
Bulgaria	103,194	pending
Canada	2,262,997	pending
Czech Republic	PV 435-99	pending
Estonia	0046/99PC	granted, 04044
Israel	128256	pending
Japan	10-5098527	pending, published
Norway	1999 0547	pending
Poland	P331601	pending
Russia	99104809	granted, 2195273
Slovakia	PV 154-99	pending
Ukraine	99020697	granted, 64716
USA	09/230,941	granted 6,143,741
Yugoslavia	P-51/99	pending, published
Hong Kong	00103903.0	pending
European patent (AT,BE,CH, LI,DE,DK,ES,FI,FR,GB, GR,IE,IT,LU,MC,NL,PT, SE	97.933 813.4	pending
Designated extension states: LT,LV,RO,SI		

b) P 98 02896: Optically active piperidinoalkyl-4H-1,2,4-oxadiazine derivative and its use in the treatment of vascular diseases (BRX-236)
(Composition of Matter)

Hungarian patent application: filed 14 December 1998; pending

c) P 98 02897: Optically active pyridyl-4H-1,2,4-oxadiazine derivative and its use in the treatment of vascular diseases ("Piridilox")

Hungarian patent application: filed 14 December 1998 (P 98 02897)
published 28 November 2000

Foreign patent applications: PCT filed 7 December 1999 (PCT/HU99/00095)
published: 22 June 2000 (W0 00/35914)

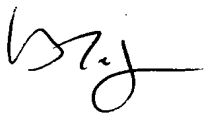
Patent status: granted in US, EP and 3 countries, pending in 15 countries

Countries	Appln. No.	Status/Patent No.
PCT Int. Application		
Designated states:		
Australia	17906/00	granted, 765336
Belarus	20010166	pending
Bulgaria	105342	pending
Brazil	PI 9913982-0	pending, published
Canada	2,340,734	pending
Croatia		pending
Czech Republic	PV2001-1550	pending
Estonia	P 200100188	pending, published
Israel	141515	pending
Japan	2000-588174	pending, published
South Korea	10-2001-7002870	pending, published
Norway	20012310	pending
Poland	P346767	pending
Russia	2001118854	granted 2,222,538
Slovakia	2001063850	pending
Ukraine	200106385M	pending
USA	9/762,949	granted, 6,384,029
Yugoslavia	P-250/2001	pending
South Africa	2001/1182	granted 2001/1182
European (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE)	99961 225.2	granted 1,147,105
Extension of EP (Latvia, Lithuania, Romania, Slovenia)		
Hong Kong		

d) P 02 00109: Carboxamidine derivatives and their use in the treatment of vascular diseases

Hungarian patent application: filed 11 January 2002 (P 02 00109)
modified 17 December 2002 (P02 04362)
withdrawn 25 September 2003

Foreign patent applications: PCT filed 10 January 2003 (PCT/HU03/0003)
published: 17 July 2003 (W0 03/057664)



Patent status: the PCT application entered national phase, national patent applications are to be filed by 11 July 2004 in US, EP and 19 countries

Countries	Appl. No.	Status/Patent No.
PCT Int. Application		
Designated states:		
Australia		pending
Belarus		pending
Brazil		pending
Canada		pending
China		pending
Croatia		pending
Hungary		pending
India		pending
Israel		pending
Japan		pending
South Korea		pending
Mexico		pending
New Zealand		pending
Norway		pending
Poland		pending
Russia		pending
Ukraine		pending
USA		pending
Yugoslavia		pending
South Africa		pending
European (AT, BE, BG, CH, CZ, CY, DE, DK, EE, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE, SK, TR)		pending
Extension of EP (Latvia, Lithuania, Romania, Slovenia)		

W. J.

5. Other patents

a) 4191/90.(12 July 1990) **Process for producing therapeutical preparation suitable for treating Alzheimer's disease**

Hungarian patent number: 207 444

b) PP 00118 **Composition for the treatment of Alzheimer's disease (1 July 1994, pipeline)**

Hungarian patent number: 211 340

c) P 94 01489 (6 May 1994) **Pharmaceutical compositions containing pyridine carboxamide derivatives as active component and process for producing them**

Hungarian patent number: 215 392

